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DEC 15 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

VINNY L. OSTOLAZA,

Defendant.

) SUPERSEDING
) INDICTMENT
)
)

) JUDGE DAVID A. RUIZ
)
)

) CASE NO.: 1:22-CR-334
)

) Title 21, United States Code,
) Sections 841(a)(1), (b)(1)(B)
) and (b)(1)(C); Title 18, United
) States Code, Sections 922(g)(1)
) and 924(a)(2)

GENERAL ALLEGATIONS

1. At all times relevant to this Indictment, unless otherwise specified:
Before Defendant VINNY L. OSTOLAZA, committed the offenses charged in this Indictment, VINNY L. OSTOLAZA had a final conviction for a serious drug felony, namely, four convictions under Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), to wit: Distribution of Controlled Substance, in Case No. 1:19CR183, in the United States District Court for the Northern District of Ohio, on or about June 18, 2020, for which VINNY L. OSTOLAZA served more than 12 months of imprisonment and for which VINNY L. OSTOLAZA was released from serving any term of imprisonment related to that offense within 15 years of the commencement of each of the instant offenses charged in this Indictment.

COUNT 1

(Possession with Intent to Distribute Fentanyl, 21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

The Grand Jury charges:

2. On or about May 24, 2022, in the Northern District of Ohio, Eastern Division, Defendant VINNY L. OSTOLAZA did knowingly and intentionally possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 2

(Possession with Intent to Distribute Fentanyl, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

3. On or about May 24, 2022, in the Northern District of Ohio, Eastern Division, Defendant VINNY L. OSTOLAZA did knowingly and intentionally possess with intent to distribute approximately 5.956 grams of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 3

(Felon in Possession of Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

The Grand Jury further charges:

4. On or about May 24, 2022, in the Northern District of Ohio, Eastern Division, Defendant VINNY L. OSTOLAZA, knowing he had previously been convicted of crimes punishable by imprisonment for terms exceeding one year, those being: Trafficking in Drugs, a felony of the third degree, on or about July 27, 2016, in Case Number 16CR094161 in the Lorain County Court of Common Pleas; and Distribution of Controlled Substances, on or about June 18, 2020, in Case Number 1:19CR183, in the United States District Court for the Northern District

of Ohio, knowingly possessed in and affecting interstate commerce a firearm, to wit: a SCCY CPX-2, 9 millimeter handgun, bearing serial number 412079, and ammunition, said firearm and ammunition having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE

The Grand Jury further charges:

5. For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), the allegations of Counts 1 through 3, inclusive, are incorporated herein by reference. As a result of the foregoing offenses, Defendant VINNY L. OSTOLAZA, shall forfeit to the United States any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violations; any and all property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations; and, any and all firearms and ammunition involved in or used in the commission of such violations; including, but not limited to, the following: a SCCY CPX-2, 9 millimeter handgun, bearing serial number 412079, and ammunition.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.